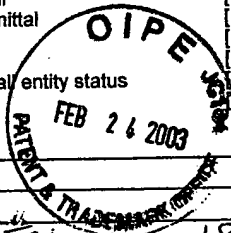




Serial No. 09/241,653 File No. CO1041.70002 US By: AWS
Title: METHODS FOR REGULATING HEMATOPOIESIS...
Application of Wagner et al. WGS Date: _____

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

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| Declaration(s) _____ | Amendment/Response |
| Drawings _____ Sheet(s) (FIGS. _____) | Petition for Ext. of Time (x2) |
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DATE MAILED

February 18, 2003



Serial No. 09/241,053 File No. CO1041.70002 US By: AWS
Title: METHODS FOR REGULATING HEMATOPOIESIS...
Application of Wagner et al. WGS Date: _____

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| <input type="checkbox"/> Declaration(s) _____ | <input type="checkbox"/> Petition for Ext. of Time (x2) |
| <input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Formal <input type="checkbox"/> Informal | <input type="checkbox"/> Letter to Official Draftsperson |
| <input type="checkbox"/> Utility Patent Application Transmittal | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Fee calculation sheet (x2) | <input type="checkbox"/> Brief (x3) |
| <input type="checkbox"/> CPA Transmittal | <input type="checkbox"/> Check for \$ _____ Check # _____ |
| <input type="checkbox"/> Verified Statement claiming small entity status | <input checked="" type="checkbox"/> Transmittal Letter (x2) |
| <input type="checkbox"/> Assignment and Cover Sheet | <input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a) |
| <input type="checkbox"/> Other _____ | |

DATE MAILED February 18, 2003



DOCKET NO: C01041.70002.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wagner et al.
Serial No: 09/241,653
Confirmation No: 8996
Filed: February 2, 1999
For: METHODS FOR REGULATING HEMATOPOIESIS USING
CPG OLIGONUCLEOTIDES
Examiner: Zara
Art Unit: 1635

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 18th day of February, 2003.

Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- ☒ Supplemental Information Disclosure Form
- ☒ Copy of Reference Cited
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Wagner et al., Applicant

By: _____

Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617)720-3500

Docket No. C01041.70002.US
Date: February 18, 2003
xx: NDD



DOCKET NO: C01041.70002.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wagner et al.
Serial No: 09/241,653
Confirmation No: 8996
Filed: February 2, 1999
For: METHODS FOR REGULATING HEMATOPOIESIS
USING CPG OLIGONUCLEOTIDES

Examiner: Zara
Art Unit: 1635

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Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

Commissioner for Patents
Washington, D.C. 20231

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§ 1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. § 1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in this application.

The Applicant hereby states, as specified in 37 C.F.R. § 1.97(e), that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application, and, to the knowledge of the

person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Statement. No fee is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Serial No.: 09/241,653

- 3 -

Art Unit: 1635

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Wagner et al., *Applicant*

By: 

Alan W. Steele, M.D., Ph.D., Reg. No. 45,128
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. C01041.70002.US
Date: February 18, 2003
XNDDX



FORM PTO-1449/A and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 09/241,653

ATTY. DOCKET NO.: C01041.70002.US

FILING DATE: February 2, 1999

CONFIRMATION NO.: 8996

APPLICANT: Wagner et al.

GROUP ART UNIT: 1635

EXAMINER: Zara

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A23	6,514,948	B1	Raz et al.	02-04-2003

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER

DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]